

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, MARCH 12, 2007**

**3:04 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Senhauser, Spraul-Schmidt, Bloomfield, Kreider and Sullebarger. Absent: Wallace and Chatterjee.

### **MINUTES**

The Historic Conservation Board unanimously approved the minutes of the February 26, 2007 meeting (motion by Spraul-Schmidt, second by Bloomfield).

### **CERTIFICATE OF APPROPRIATENESS, 442-444 MILTON STREET, PROSPECT HILL HISTORIC DISTRICT**

Staff member Adrienne Cowden reminded the Board that it had approved a Certificate of Appropriateness and the necessary Zoning Variances to construct two three-story brick attached single-family residences on vacant lots at 442-444 Milton Street on April 24, 2007. She said the applicants were returning to request the Board's approval to change the exterior cladding material to offset cost overruns. Ms. Cowden handed out a revised proposal showing the new houses with a cementitious board siding and briefly described the revisions. She indicated that both proposals – one for a combination of brick and cementitious siding and the most recent for a uniform cementitious board siding – met the guidelines, and pointed out that the Board had approved similar exterior treatments in historic districts with more stringent guidelines. Nonetheless staff strongly encouraged the Fielers to reconsider using brick.

*Mr. Kreider arrived at 3:15 P.M.*

Shannon Fieler, Frank Fieler and Sandra Fieler were present to respond to questions from the Board. In response to an inquiry from Mr. Raser and Mr. Kreider about the revised drawing Shannon Fieler clarified that it was intended to show the building's general appearance as a frame structure and that design details such as the sills and lintels would need to be modified accordingly. He stated that the change of exterior materials was due to cost overruns in designing and building the foundation. Shannon Fieler pointed out that there were other frame houses in the historic district. Mr. Raser stated that the design details for the plans approved in April were the same as those shown on the revised drawings. He indicated that it was not appropriate use the same detailing on a brick building for a frame building and described a number of discrepancies. He felt that the drawings should be revised to show all proposed changes and resubmitted.

Various Board members inquired if the Board was allowed to consider cost. Mr. Forwood stated that the applicants applied for a change in materials citing cost overruns as an explanation for the change and not a justification. He explained that the Board first needed to determine if the proposal met the guidelines. If it did, the financial basis for the change was not relevant. If it did not, the Board could consider granting the applicants relief from the guidelines based on financial hardship.

Ron Tisue, Corporation Alley resident, stated that the houses that have wood or vinyl siding on Milton are much smaller than the proposed building. He felt the house was approved as and should remain brick.

Les Bradford, Milton Street resident, provided photos to the Board members and pointed out that the sides of buildings are more visible when walking or driving on Milton Street. He voiced his concern that allowing such a large building to be sided in clapboard would establish a negative precedent for the district.

Michelle Hobbs, President of the Prospect Hill Neighborhood Association and Milton Street resident, questioned some financial aspects of the project and stated that changing the building from brick to siding would destroy the integrity of the neighborhood. She asked the Board to honor the residents' request to deny the applicants' petition. In answer to Mr. Raser, Ms. Hobbs stated that the neighborhood's frame buildings are among the district's smaller structures. She stated that the Neighborhood Association approved brick. If the project had been presented with a siding exterior the Association would have disapproved it.

Donald Troendle, Milton Street resident, stated that he felt that since the building was originally approved as brick, it was inappropriate for the developer to switch to a different material. He encouraged the Board to consider the neighborhood's historic nature and the high visibility of the proposed building. Mr. Troendle concluded that brick was the only material in Prospect Hill that was appropriate for a building of this size and scale. In response to Ms. Sullebarger, Mr. Troendle stated that he would still be opposed to a frame exterior if the building were scaled down.

Ms. Cowden confirmed for the Board that the historic district did include frame buildings. They were typically smaller and wider than their masonry counterparts, but the district did include a few larger frame residences. Ms. Cowden stated that the frame building located directly east of the applicant's property was a contributing resource.

Kelly Mullen, Kevin Feldman, Larry Olivier and Kay Steinmitz, Prospect Hill residents, expressed their support of previous neighborhood speakers and asked the Board to disapprove the applicant's request for a change in materials.

Julius Nachod, Liberty Hill resident, commented that the neighborhood's larger buildings are brick. He added that he concurred with Mr. Raser's comment that the design details were insufficient.

Shannon Fieler stated that if the project was not cost effective that it would not be built. Frank Fieler described recent sale prices in the neighborhood and observed that he was taking a risk building a \$600,000 home on speculation in the current housing market. He reiterated that he and his wife had intended to build the homes in brick. However, there had been unanticipated cost overruns and the change in materials was proposed to address budgetary concerns.

In response to Mr. Raser, Shannon Fieler pointed out that there were other buildings in the district with a mixture of materials. For example, buildings on the north side of Milton Street often have a brick or stone foundation with brick or frame upper floors.

Upon inquiry from Mr. Senhauser and other Board members about reducing the building in height or removing the dormers, Frank Fieler responded that the dormers aided in creating a dramatic interior space that he wanted in his home and felt was important for the sale of the other residence. Shannon Fieler indicated the intent was to change the exterior cladding material and details only. The Fielers were not open to reducing the building height or scale.

Ms. Sullebarger suggested tabling the matter. In response, Shannon Fieler stated that tabling the matter would delay construction and increase costs. He requested that a decision be made.

Ms. Sullebarger commented that Prospect Hill was one of the City's earlier historic districts and the guidelines were very general. She stated that she felt lap siding was appropriate and met the conservation guidelines.

Mr. Kreider observed that the guidelines say that new construction should be compatible with buildings in the neighborhood. The frame buildings were smaller and older. He said that although he felt cementitious board siding would be an acceptable material for the rear two-story wing it was not appropriate for the entire building. He agreed with Mr. Nachod's statement that larger scale buildings in the neighborhood were typically brick. Mr. Bloomfield concurred.

Ms. Spraul-Schmidt explained that scale was the issue in the matter. In order for the proposed building to fit the neighborhood's historic building patterns it needed to be brick.

### **BOARD ACTION**

The Board voted unanimously (motion by Bloomfield, second by Sullebarger) to deny a Certificate of Appropriateness for the proposed modification to the siding.

### **CERTIFICATE OF APPROPRIATENESS & ZONING VARIANCES, 5 DEXTER PLACE, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Adrienne Cowden presented a staff report on the construction of driveways and front yard parking at 5 Dexter Place. She explained that the driveways and associated landscaping were nearly complete and had been done without a Certificate of Appropriateness or Building Permit. Ms. Cowden explained that because the existing driveway north of the house was extended in a semicircle in front of the property, a zoning variance is required for front yard parking. An additional variance is required to allow the compacted gravel paving.

Ms. Cowden said that the new driveway will be edged in stone to match that of Dexter Place. Staff believes that the new driveway reflects the character and detail of the narrow, tree-lined private Dexter Place.

Ms. Sullebarger questioned if staff had contacted the East Walnut Hills Assembly (Assembly). Ms. Cowden said that she did notify the Assembly but had not received a response. Ms. Cowden commented that although the Assembly had often expressed a position on projects, particularly those with Zoning Variances, in the past, it has not done so of late.

Mr. Kreider reviewed the applicable sections of the Zoning Code and stated that aesthetically, he felt that the project was acceptable. Mr. Bloomfield agreed and opined that the permeable surfacing was environmentally better than asphalt pavement.

Ms. Sullebarger stated that she was disappointed that the work proceeded without a permit. In answer to her question, Mr. Forwood stated that an inspector from the Department of Buildings & Inspections had noticed the work and instructed the applicant to secure the necessary approvals. She further questioned whether a house of this period would have had a driveway in front of the property as proposed.

Michael and Sarah Chasnoff, the owners and applicants, were present to answer questions from the Board. Mr. Chasnoff apologized for his failure to follow proper procedure. He stated that he was unaware of the requirements for replacing the driveway. He said he felt that it was important to respect the historic district conservation guidelines and hoped the Board could approve the project.

### **BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt second by Raser) to take the following actions:

1. Approve a Certificate of Appropriateness for the driveways and landscaping as built finding that the work meets the East Walnut Hills Historic District guidelines.
2. Approve a Zoning Variance for the semi-circular driveway and the aggregate / pebble composite surfacing, finding that such relief will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest of historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.

**CERTIFICATE OF APPROPRIATENESS & ZONING VARIANCES, 1701 RACE STREET, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Caroline Kellam presented a staff report on the construction of two new garage door openings along the Green Street elevation and construction of a new roof deck at 1701 Race Street. She stated that the applicant was confident he would receive the necessary curb cuts for the project.

Ms. Kellam explained that the proposed garage door cuts would be located within what had been a commercial storefront. Remnants of the cast iron pilasters remain from a later renovation which infilled the storefront with a brick wall with sash windows when the first floor was converted to residences. Since the new garage doors will be largely solid, a zoning variance will be required to allow less than 50% of the ground floor on Green Street to be opaque. Staff recommended approval with a redesign of the garage doors.

Mr. Senhauser agreed with the staff recommendations. He suggested that there were other choices for the garage doors that would add to the vitality of the street. He stated that he did not encourage garage doors on the first floor, but in this specific situation it was acceptable.

In response to Mr. Raser's question, staff stated that the portion of the roof and cornice to be removed was deteriorated, but that some areas might be salvaged to repair other sections of the cornice to remain. Further, the eyebrow windows would remain open and transparent.

Aaron Etzler, the owner and applicant, was present to answer questions from the Board. He acknowledged to Mr. Senhauser that there is a discrepancy between the existing and proposed elevation drawing of Green Street. He said the existing recessed arched entry door and sidelight would remain unchanged. In response to Mr. Kreider, Mr. Etzler explained that the first floor would be rehabbed into a residential apartment unit.

Mr. Kreider commented that the proposed garage spaces were being inserted into original storefronts in space that had been previously converted to apartments. The design proposed solution was unique to this project and should not be considered a precedent for other buildings. Mr. Bloomfield concurred and stated that some accommodations were necessary to utilize older buildings, particularly in this area.

**BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt second by Raser) to take the following actions:

1. Grant zoning variances from Section 1409-23 Ground Floor Transparency of the Zoning Code to allow for the construction of two new garage door openings and installation of solid garage doors finding that such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
2. Approve a Certificate of Appropriateness for the construction of the new roof decks and the garage door openings with the condition that the garage doors be an appropriate design.
3. Final plans and any revisions to be reviewed and approved by the Urban Conservator prior to issuing a Certificate of Appropriateness.

**CERTIFICATE OF APPROPRIATENESS, HILLSIDE REVIEW & ZONING VARIANCES, 3733 SACHEM AVENUE, COLUMBIA-TUSCULUM HISTORIC DISTRICT**

Staff member Caroline Kellam presented a staff report on the construction of a new owner-occupied single-family house with a first floor garage. She stated that this project had been presented to the

Board for a Preliminary Design Review in November 2006. Since that initial meeting the house has been modified based on the Board's comments. The garage door opening has been reduced to a single car and a front entry added on the street façade.

Ms. Kellam explained that as proposed, the new house would require zoning variances for the side and rear yards within the hillside overlay. She said that neighborhood residents continue to express concerns regarding the size, and design of the house and are very concerned about the effect on their back yards and views. Although neighbors have attended the pre-development meeting and expressed opposition to the design and zoning variances, staff had not received a formal comment from the Columbia-Tusculum Community Council.

Joel King, developer from Gary Brasch Custom Homes, and Michael Chambers, the property owner, were present to answer questions for the Board. Mr. King briefly described the project and presented photos to the Board to support his assertion that there was precedent for the requested setbacks.

Mr. Senhauser stated that the unit looked like a rowhouse and asked why the owner did not choose a design that was consistent with the other houses on the street. Mr. Chambers indicated that he had owned 3733 Sachem Avenue since 1992 and confirmed that he intended to live at this address. He said he had chosen a basic design he had seen and liked, but stated he was open to making some design changes.

Ben Young, President of the Columbia-Tusculum Community Council, stated that the scale of the building was out of proportion with the neighboring buildings. He stated that the rear yard setback eliminates views that were important to residents. He stated that the owner should design a home that is compatible with the existing zoning. He urged the Board to deny the zoning variances and Certificate of Appropriateness.

Kathy Farro, planner with Manley Burke attorney for the neighbors, presented photos and gave an overview of her analysis. She concluded that the applicant had not met the standards required for the zoning variances and Certificate of Appropriateness, and asked that the Board deny the application.

Vince Stamp, neighborhood resident, concurred with Ms. Farro's report and request for disapproval.

Andy Crain, owner of the adjoining property to the east, distributed information to the Board and stated that the rear yards were more important to the residents than the front yards. He stated that he agreed with previous statements and asked the Board to deny the application. In response to Mr. Raser's question, Mr. Crane stated that it was acceptable for the side yard to be at zero lot line.

Meghan Young, owner of the adjoining property to the west, stated that she moved to the neighborhood for its unique features. She stated that the scale and massing of the proposed structure cuts off views and causes privacy issues. She urged the Board to deny the application.

Kevin Ankemin, Sachem Avenue resident, stated that he agreed with Ms. Young and stated that the pattern of houses was unique and should be maintained.

Mr. Chambers stated that he did not feel that there were privacy issues in the rear yard. He encouraged the Board members to look at the precedents presented by Mr. King. He said he would consider reducing the house in depth, but he would need to increase its width to regain lost floor area.

The Board generally agreed that as shown in the streetscape elevation provided, the proposed house appeared narrower than the others in the row. It agreed that it would consider a new design that would be wider, if the modification resulted in increasing the rear yard, resolved the other design issues discussed and was compatible with the neighboring properties.

**BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Kreider) to table the application to give the applicant an opportunity to modify his design to better address compatibility and zoning issues and the concerns of neighboring property owners.

**ADJOURN**

As there were no other items for consideration by the Board, the meeting adjourned.

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

Date: \_\_\_\_\_